

ANNEX 1

OECD Decision-Recommendation of the Council on the Co-operative Investigation and Risk Reduction of Existing Chemicals [C(90)163/FINAL]

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C(90)163/FINAL

COUNCIL

DECISION-RECOMMENDATION OF THE COUNCIL

**on the Co-operative Investigation and Risk Reduction
of Existing Chemicals**

(adopted by the Council at its 750th Session on 31st January 1991)

THE COUNCIL,

Having regard to Articles 5 a) and 5 b) of the Convention on the Organisation for Economic Co-operation and Development of 14th December 1960;

Having regard to the conclusions concerning the control of existing chemicals reached at the First, Second and Third High Level Meetings of the Chemicals Group of 12th May 1980, 15th November 1982 and 17th March 1987, respectively;

Having regard to the conclusion of the Second High Level Meeting of the Chemicals Group concerning the importance of animal welfare with respect to the testing of chemicals;

Having regard to the Resolution of the Council concerning a Procedure for Notification and Consultation on Measures for Control of Substances Affecting Man and the Environment [(C(71)73(Final))];

Having regard to the Recommendation of the Council of 31st January 1991 on Integrated Pollution Prevention and Control [C(90)164/FINAL] and, in particular, the Recommendation that Member countries practice integrated pollution prevention and control, taking into account the effect of activities and substances on the environment as a whole and the whole commercial and environmental life cycles of substances when assessing the risks they pose and when developing and implementing controls to limit their release;

Having regard to the Decision-Recommendation of the Council of 26th June 1987 on the Systematic Investigation of Existing Chemicals [C(87)90(Final)];

Having regard to the Recommendation of the Council of 14th November 1974 on the Assessment of the Potential Environmental Effects of Chemicals [C(74)215];

Having regard to point 6 of the Declaration on "Environment: Resource for the Future", of 20th June 1985, adopted by the governments of OECD Member countries and of Yugoslavia which states that more effective control of both new and existing chemicals from their manufacture to ultimate disposal will be achieved through shared and co-ordinated efforts;

Having regard to the Recommendations of the World Commission on Environment and Development of 1987 that major chemical-producing countries should reinforce on-going efforts to obtain international agreement on the selection of existing chemicals for priority testing, on criteria and procedures for their assessment, and on a system for international sharing of the tasks and the resources required;

Having regard to the Bergen Ministerial Declaration on Sustainable Development in the ECE Region of 16th May 1990, in particular to point IV, 15c and point V, 16c;

Considering the experience gained to date by Member countries in the co-operative investigation of existing chemicals which has led to the initiating of concerted data collection, testing and evaluation of the first group of priority existing chemicals;

Considering that concerted identification, assessment and management of existing chemicals can produce more efficient utilisation of national and international resources towards reduction of any risks to the environment and/or to the health of the general public or workers uncovered in all phases of the life cycle of the chemicals;

Considering that assessments of the effects on health and the environment for the purpose of reducing risks should include evaluation of the risks and benefits of using the substance and its substitutes and the economic effects of any control action;

Considering that co-operative international efforts constitute an efficient and innovative way to apply economic and regulatory approaches for the systematic investigation and reduction of the risks of hazardous existing chemicals;

Considering that strengthened national and co-operative international efforts to investigate systematically and reduce the risks of hazardous existing chemicals will substantially alleviate threats of serious or irreversible damage to the environment and/or the health of the general public or workers;

Considering that the co-operative work underway on selected chemicals of concern to Member countries to assess, to develop risk reduction strategies and, where appropriate, to take actions to reduce their risks will be of value for further efforts in this regard;

On the proposal of the 15th Joint Meeting of the Management Committee of the Special Programme on the Control of Chemicals and the Chemicals Group of the Environment Committee, as approved by the 4th Meeting of the Environment Committee at Ministerial Level:

I. Co-operative Investigation and Risk Reduction of Existing Chemicals

A. Co-operative Investigation

1. DECIDES that Member countries shall co-operatively investigate high production volume (HPV) chemicals* in order to identify those which are potentially hazardous to the environment and/or to the health of the general public or workers.
2. DECIDES that Member countries, in undertaking the task set out in paragraph I.A.1 shall:
 - i) co-operatively select the HPV chemicals for investigation;
 - ii) acquire an agreed-upon basic data set needed to make an informed judgement concerning the potential hazards of each chemical through collection of available data or by ensuring that testing is undertaken; and
 - iii) co-operatively make an initial assessment of the potential hazards of each chemical based on the basic data set.
3. RECOMMENDS that Member countries undertake additional co-operative activities including the generation of further data and the completion of more in-depth, systematic assessments of the hazards and risks posed by those HPV chemicals found in the initial assessment to be potentially hazardous.
4. RECOMMENDS that Member countries also co-operate in undertaking work on the investigation of those non-HPV existing chemicals for which they share a concern.

* For purposes of this Decision-Recommendation HPV chemicals are those chemicals included in the OECD Representative List of High Production Volume (HPV) Chemicals, as established and updated regularly.

5. DECIDES that Member countries shall make information obtained from the co-operative investigation of existing chemicals publicly available via the United Nations Environment Programme's - International Register of Potentially Toxic Chemicals (UNEP/IRPTC), respecting legitimate claims for protection of confidential data.
- 6 INVITES the International Programme on Chemical Safety (IPCS) to use the results of the investigations of existing chemicals by OECD Member countries in preparing its assessments of the health and environmental impacts of existing chemicals.

B. Risk Reduction

1. DECIDES that Member countries shall establish or strengthen national programmes aimed at the reduction of risks from existing chemicals to the environmental and/or the health of the general public or workers.
2. RECOMMENDS that Member countries collaborate to develop common criteria to determine which chemicals, among those which are included in the co-operative investigations referred to in Section I.A and/or the procedures foreseen in paragraph II.1.ii, are suitable candidates for concerted risk reduction activities.
3. RECOMMENDS that, where appropriate, Member countries undertake concerted activities to reduce the risks of selected chemicals taking into account the entire life cycle of the chemicals. These activities could encompass both regulatory and non-regulatory measures including: the promotion of the use of cleaner products and technologies; emission inventories; product labelling; use limitations; economic incentives; and the phase-out or banning of chemicals.

II. Implementation

1. INSTRUCTS the Management Committee of the Special Programme on the Control of Chemicals, having regard to the work of other international organisations:
 - i) to pursue a programme of work designed to facilitate the practical implementation of this Decision-Recommendation; and
 - ii) to establish procedures for the notification of, and exchange of information on activities in Member countries, to reduce the risks of existing chemicals;
 - iii) to the extent that Member countries undertake concerted risk reduction activities pursuant to paragraph I.B.3, to propose, where appropriate, agreements on reducing the risk of specific chemicals or groups of chemicals.
2. INVITES the Secretary-General to take the necessary steps to ensure that this work is carried out in co-operation with other international organisations and, in particular, in collaboration with the UNEP/IRPTC and the IPCS.
3. INSTRUCTS the Management Committee of the Special Programme on the Control of Chemicals to review, by the end of 1994, the actions taken by Member countries in pursuance of the Decision-Recommendation.